



CONSENT TO ACCESS TO REAL PROPERTY

Property Owner(s): Fred Carillo

Address of Property: 462 Scott Avenue Brooklyn, NY 11222 ("my Property")

Block/Lot: Borough of Brooklyn, Block 2809, Lot 50

The United States Environmental Protection Agency ("EPA") has informed the undersigned that EPA is conducting a Remedial Investigation and Feasibility Study ("RI/FS") at the Newtown Creek Superfund Site (the "Site"), a facility that includes Newtown Creek, a waterbody forming a portion of the northern boundary of the Borough of Brooklyn and southern boundary of the Borough of Queens in New York City, New York. The Site is listed on the National Priorities List of hazardous substances releases pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. §§9601-9675 ("CERCLA"), a list maintained by EPA for the purpose of determining whether there is a need to conduct a remedial action based, in part, on the conditions found to be present at a site. As a critical element of the RI/FS, EPA is planning to perform a study of the shallow lateral groundwater at the Site ("Groundwater Study") to improve the understanding and better quantification of the shallow lateral groundwater discharge to Newtown Creek from upland properties located adjacent to the creek. EPA has also informed the undersigned that, in order to perform the Groundwater Study, EPA will need to sample groundwater at the Site through groundwater monitoring wells located or to be located on certain properties, including my Property, and accordingly, EPA has requested access to my Property for purposes of facilitating the performance of the Groundwater Study. I understand that the actions to be performed by EPA at my Property are to be undertaken pursuant to its response and enforcement responsibilities under CERCLA.

The undersigned hereby consents to allow officers, employees, and authorized representatives of the EPA to enter and have access to my property in order to perform investigative activities required for the Groundwater Study that may include, but are not limited to the following tasks: 1) visual property inspection; 2) use of the existing groundwater monitoring wells located on my Property, if any, in the area depicted on Attachment A ("Groundwater Well Area") for sampling and other activities determined by EPA to be necessary or appropriate to the conduct of the Groundwater Study; 3) groundwater monitoring well installation in the Groundwater Well Area for groundwater sampling and other activities determined by EPA to be necessary or appropriate for conduct of the Groundwater Study; 4) reasonable access and egress through my property to and from the Groundwater Well Area for equipment and materials necessary to perform such work. I understand that such representatives may include EPA contractors and/or subcontractors and, if accompanied by EPA, other Federal and state agencies as may be required by EPA for conduct of the Groundwater Study. I also understand and agree that EPA and the above-mentioned representatives may enter upon my Property at reasonable times as mutually scheduled.

I further consent to EPA releasing to the public all analytical results of any samples that EPA and its representatives collect or have collected on my Property, as identified by my address.

I recognize that performance of such actions may require some disturbance to the property and

that EPA will minimize any disturbance as much as possible and that areas of disturbance will be restored to prior conditions by the EPA.

I understand that the EPA requires its contractors to maintain comprehensive vehicle liability insurance and comprehensive general liability insurance for bodily injury, death, and loss or damage to property arising from the activities of its contractors.

All Liability AND Property Damage insurance shall NAME FMC Enterprises as additional insured.

This written permission is given by me voluntarily and without threats or promises of any kind. By my signature, I also acknowledge that I am authorized to grant such access.

By: Fred Carillo

[INSERT NAME OF PROPERTY OWNER OR OPERATOR THAT IS GRANTING ACCESS]

* *Fred Carillo*
Signature

5-24-22
Date

[OFFICE OR OTHER POSITION OF SIGNATORY]

* *Signature subject to insurance requirement
NAME OWNER (FMC Enterprises, LLC as additional
insured.*